

10/575779
INP6 Rec'd PCT/PTO 14 APR 2006

PATENT
Attorney Docket No. 062587-5007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Michael Teifel <i>et al.</i>)	
)	
U.S. National Phase of: PCT/EP2004/011655)	Group Art Unit: <i>Unassigned</i>
)	
International Filing Date: October 15, 2004)	Examiner: <i>Unassigned</i>
)	
Date of Entry into U.S. National Stage: April 14, 2006)	
)	
For: Method of Administering Cationic Liposomes)	
Comprising an Active Drug)	

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO-1449 forms. This Information Disclosure Statement is being filed, to the best of the undersigned's knowledge, before the mailing date of a first Office Action on the merits for the above-referenced application. Accordingly, Applicants do not believe that a fee is due with the filing of this paper.

With the exception of U.S. Patents, copies of the listed documents are attached. The present application is a U.S. National Phase Application of International Patent Application PCT/EP2004/011655, filed October 15, 2004 and published as WO 2005/039533 A1. Documents 5-11 were cited in the International Search Report which issued in International Patent Application PCT/EP2004/011655, a copy of which is attached for the Examiner's convenience. Applicants respectfully request that the Examiner consider the listed documents and evidence for consideration by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If it should be determined that the listed documents constitute "prior art" under United States law, Applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such document.

10/575779

IAPO Rec'd PCT/TO 14 APR 2006

Attorney Docket No. 062587-5007

U.S. National Phase of International Application No. PCT/EP2004/011655

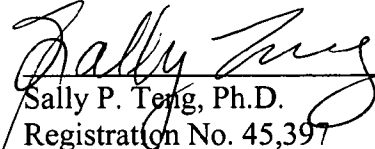
Page 2

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or to credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).

Dated: **April 14, 2006**
Morgan, Lewis & Bockius LLP
Customer No. **09629**
1111 Pennsylvania Avenue
Washington, D.C. 20004
202-739-3000

Respectfully submitted,
Morgan, Lewis & Bockius LLP


Sally P. Teng, Ph.D.
Registration No. 45,397

LA 93 Rec'd 201713 14 APR 2006

INFORMATION DISCLOSURE CITATION (Use several sheets if necessary) PTO Form 1449	Attorney Docket No. 062587-5007	U.S. National Phase of: PCT/EP2004/011655
	Applicants: Michael TEIFEL <i>et al.</i>	
	Filing Date: April 14, 2006	Group Art Unit: Unassigned

U.S. PATENT DOCUMENTS

Initial		Document No.	Date	Name	Class	Sub-Class	Filing Date
	1.	US 5,424,073	June 13, 1995	Rahman et al.	424	450	October 14, 1993
	2.	US 5,648,090	July 15, 1997	Rahman et al.	424	450	May 26, 1995
	3.	US 5,837,283	November 17, 1998	Mcdonald et al.	424	450	March 12, 1997
	4.	US 6,146,659	November 14, 2000	Rahman	424	450	July 1, 1998
	5.	US 6,090,955	July 18, 2000	Reszka et al.	549	510	June 19, 1997

FOREIGN PATENT DOCUMENTS

		Document No.	Date	Country	Class	Sub-Class	Translation
	6.	WO 98/40052 A	September 17, 1998	WIPO			
	7.	WO 01/017508 A	March 15, 2001	WIPO			
	8.	WO 2004/002455 A	January 8, 2004	WIPO			
	9.	WO 2004/002468 A	January 8, 2004	WIPO			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

[illegible]

Examiner /James Schultz/ (03/29/2010)

Date Considered

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /JDS/ (03/29/2010)